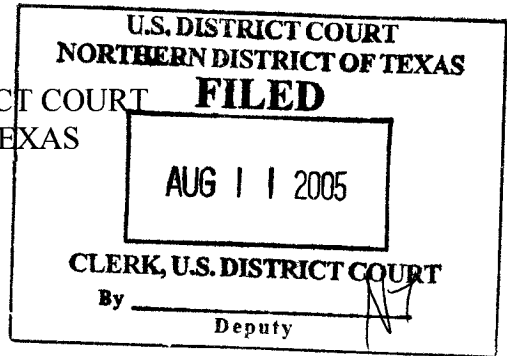


✓
ORIGINAL

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



PREMIER DEVELOPMENT AND
INVESTMENT, INC.,

Plaintiff,

v.

EQUITILINK, L.L.C., et al.,

Defendants.

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Civil Action No. 3:04-CV-0405-L

**APPENDIX TO PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT AND
BRIEF IN SUPPORT**

- A. Plaintiff's Designation of Expert Witnesses
- B. Affidavit of J. Scott Sitra
- C. Affidavit of Andrew L. Jones
- D. Military Affidavit

Respectfully submitted,

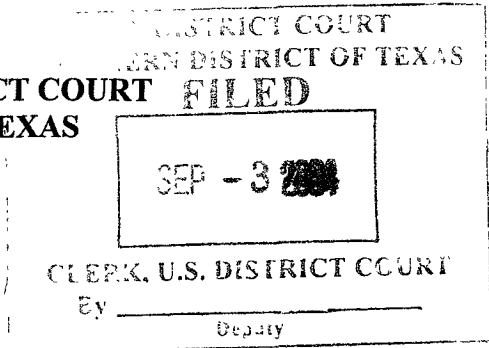
A handwritten signature in black ink, appearing to be "Andrew L. Jones".

By: _____
Andrew L. Jones
Law Office of Andrew L. Jones, P.C.
Texas Bar No. 24012919
P.O. Box 601025
Dallas, Texas 75360
Tel. (214) 979-0100
Fax (214) 303-1812

**ATTORNEY FOR PLAINTIFF
PREMIER DEVELOPMENT AND
INVESTMENT, INC.**

APPENDIX A

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



PREMIER DEVELOPMENT AND
INVESTMENT, INC.

Plaintiff,

v.

EQUITILINK, L.L.C., ET AL.,

Defendants.

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Civil Action No. 3:04-CV-0405-L

PLAINTIFF'S DESIGNATION OF EXPERT WITNESSES

COMES NOW, Premier Development and Investment, Inc., the Plaintiff in the above-styled and numbered cause, and pursuant to this Court's Scheduling Order (signed on April 20, 2004) along with Rule 26(a)(2) of the Federal Rules of Civil Procedure, files this its Designation of Expert Witnesses and, in support thereof, would respectfully show this Court the following:

- (A) A party shall disclose to other parties the identity of any person who may be used at trial to present evidence under Rules 702, 703, or 705 of the Federal Rules of Evidence.

Retained Experts:

Mr. Andrew L. Jones

Andrew L. Jones
Law Office of Andrew L. Jones
2708 Fairmount St., Suite 100
Dallas, Texas 75201
(214) 303-1860 (telephone)
(214) 979-1123 (facsimile)

It is anticipated that Mr. Jones will testify regarding the issue of attorney's fees. This expert witness is neither retained nor specially employed to provide expert testimony. The general substance of the expert's mental impressions and opinions is derived from their respective prosecution of this case on behalf of his client,

Premier Development and Investment, Inc., as well as the factors set forth in determining the necessity and reasonableness of attorney's fees.
Mr. Donald Erickson

Donald Erickson
Erickson Partners, LLC
2121 San Jacinto, Suite 975
Dallas, Texas 75201

It is anticipated that Mr. Erickson will testify about his education and experience in business and stock valuations as outlined in his attached CV. He will also testify about his examination of board meeting minutes, SEC statements, stock prices and volume of premier stock and the stock sales log of Equitilink. Mr. Erickson's opinions and mental impressions are based upon his education, training and experience and his examination of the board meeting minutes, SEC statements, stock prices and volume of premier stock and the stock sales log of Equitilink, the standard of care and proper procedures for person selling stock, the volume of shares traded in a fixed period of time and any possible deposition testimony with regards to the Premier Stock and its valuation. Generally, but not necessarily for the purposes of limitation, Mr. Erickson may testify and offer opinions regarding his factual observations and investigations regarding the valuation and sale of Premier stock, the standard of care for persons engaged in the trading and sale of stock. Mr. Erickson's testimony may also include his opinions regarding opinions or comment upon the opinions or assertions of fact held by Defendants' expert witnesses and/or any other witness. As discovery in this matter is ongoing and necessary, Mr. Erickson and Plaintiff reserve the right to supplement his opinions and designation as may be necessary. All documents, tangible things, reports, models, or data compilations that have been provided to, reviewed by, or prepared by or for Mr. Erickson in anticipation of his testimony to date are available for review at the mutually agreeable time at the office of Andrew L. Jones, P.C, 2708 Fairmount Street, Suite 100, Dallas, Texas 75201. As retained as a testifying expert for Plaintiff, Mr. Erickson's fees are \$350.00 per hour other associates' fees are \$150.00 per hour.

- (B) Andrew Jones has not prepared a report in this matter. Donald Erickson has prepared a report in this matter and is attached as Exhibit A to this designation.
- (C) These disclosures are made at the times and in sequence directed by the Court, specifically, in its Scheduling Order, which was signed on April 20, 2004.

Defendant will supplement these disclosures when (and to the extent necessary) required under subdivision (e)(1) of the Federal Rules of Civil Procedure.

Respectfully submitted,

LAW OFFICE OF ANDREW L. JONES, P.C.

By: 

Andrew L. Jones
Texas Bar No. 24012919

Matthew R. McCarley
Texas Bar No. 24041426

2708 Fairmount Street, Suite 100
Dallas, Texas 75201
(214) 303-1860 – Telephone
(214) 979-1123 – Facsimile

**ATTORNEYS FOR PLAINTIFF,
PREMIER DEVELOPMENT AND
INVESTMENT, INC.**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing "Plaintiff's Designation of Expert Witnesses" has been served by telephonic document transfer and regular, U.S. mail on the 3rd day of September, 2004 in accordance with Rule 5(d) of the Federal Rules of Civil Procedure, as follows:

Robert L. Tobey
JOHNSTON ♦ TOBEY, P.C.
710 Founders Square
900 Jackson Street
Dallas, TX 75202
(214) 741-6260 (Telephone)
(214) 741-6248 (Facsimile)

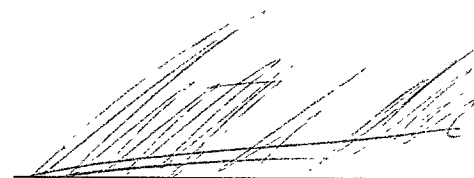

Matthew R. McCarley

EXHIBIT A



EXPERT REPORT SUBMISSION IN THE CASE OF:

PREMIER DEVELOPMENT AND INVESTMENT, INC.

VS.

EQUITILINK, L.L.C., JAMES J. MAHONEY, THOMAS
M. MAHONEY, AND SHAMROCK HOLDINGS

September 3, 2004

Matthew McCarley, Esq.
Jones & Associates, P.C.
2708 Fairmount Street, Suite 100
Dallas, TX 75201

RE: Premier Development and Investment, Inc. vs. Equitilink, L.L.C., James J. Mahoney, Thomas M. Mahoney, and Shamrock Holdings

Dear Mr. McCarley:

In response to your request related to the above matter ("the Case"), Erickson Partners, LLC ("Erickson Partners") offers the following comments, analysis and opinions.

Qualification Summary of Erickson Partners, LLC

Erickson Partners is a valuation and financial advisory firm based in Dallas, Texas. Donald Erickson is the President and Managing Partner of the firm. He is a former Senior Partner & National Director of Valuation for Ernst & Young LLP's Corporate Finance Practice. He has managed over 1,500 valuation engagements since his entry into the valuation profession in 1972. These engagements have been conducted for the purposes of merger and acquisition, financing, allocation of purchase price, estate and gift taxes, employee stock ownership trusts, business planning and litigation.

Mr. Erickson received his Bachelor of Science degree from the University of Santa Clara and his Master of Business Administration degree from the University of Oregon. He has taken additional courses in investment analysis from the American Institute of Real Estate Appraisers and real estate appraisal courses from UCLA Extension.

Mr. Erickson is a Senior Member of the American Society of Appraisers (ASA), certified in the discipline of Business Enterprise Valuations, and he is a past National Chairman of the ASA Business Valuation Committee.

Mr. Erickson's full resume, deposition and testimony list over the previous five years, list of publications authored over the past ten years and the compensation received for this assignment are attached as **Exhibit A**.

Matthew McCarley, Esq.
Jones & Associates, P.C.
September 3, 2004

Engagement Overview

Erickson Partners was retained by Premier Development and Investment, Inc. (the "Company" or "Premier") to evaluate certain issues related to an alleged breach of contract on or around the time of December 10th, 2003 related to services allegedly not provided from EquitiLink L.L.C. ("Equitilink"). We were asked to evaluate economic and financial damages (if any) based upon the premise that it was found Equitilink did breach their contract with Premier. Our analysis included - (i) evaluating the operations and financial condition of Premier before, during and after the alleged breach; (ii) discussing the facts and circumstances of the case with Premier's management, its stakeholders and its attorneys; and (iii) evaluating and quantifying damages, if any, that Premier suffered as a result of Equitilink's alleged breach of contract. Our findings are discussed in the report below and the attached exhibits.

We considered the following key information in forming our opinions:

- Board meeting minutes of Premier;
- SEC statements for Premier including:
 - Form SB-2 registration statement filed July 17, 2001
 - Form 10-KSB for fiscal year ended December 31, 2002
 - Form 10-KSB for fiscal year ended December 31, 2003
- Agreement between Premier and Equitilink dated October 1, 2003;
- Letter from Andrew Jones to Equitilink dated December 10, 2003;
- Interview with Victoria Carlton - former COO of Premier;
- Discussions with Andrew Jones, Al Delisle and Matthew McCarley;
- Stock price and volume performance of Premier; and
- Various other information

As our effort in this matter is ongoing, if necessary, we will supplement our findings based on new information and/or continuing work.

History & Nature of Case

Premier is a development stage company incorporated in Nevada on March 29, 2001. The Company intends to develop internally or through joint ventures, theme-based bar and restaurant concepts that can be expanded into full-fledged chains or franchised opportunities. The Company has had no material revenues since incorporation, and has incurred operating losses. The Company anticipates continued losses for the foreseeable future.

In the fall of 2003 the Company retained EquitiLink L.L.C. ("Equitilink"), a California based investor relations company, to assist them in a strategic investor relations campaign. According to information sent by Equitilink to Premier the components of the campaign would include the following:

- Analyze and understand two businesses thoroughly by means of EquitiLink tele-conferencing and our staff detailed review of your marketing literature and SEC filings.
- Develop and attribute your company profile with a strong focus on your vital message.

Matthew McCarley, Esq.
Jones & Associates, P.C.
September 3, 2004

- Establish one-on-one relationships with shareholders through inbound and outbound telemarketing.
- Make best use of direct mail and e-mail to bring investors up-to-date on your Company's key points.
- Generate media attention through CEO interviews, to make your voice heard on web cast programs.
- Issue press releases on your behalf to increase investor awareness of recent company developments.
- Monitor Internet chat rooms and listen to your shareholders during telemarketing to better understand their interests, and to provide you with valuable feedback that summarizes their opinions.
- Introduce your Company to potential new investors, including Investors in our database.
- Introduce you to Retail Market Makers both on the East Coast and West Coast, to build retail trading volume and to increase share price.

On October 1, 2003, EquitiLink LLC and Premier signed a contract to provide the above mentioned services. As consideration for these services, EquitiLink received an initial payment of 600,000 common shares of Premier and a promise for an additional 200,000 after the commencement of the third month of service. Premier became dissatisfied with the lack of service provided by EquitiLink and terminated their contract for non-performance in a letter dated December 10, 2003. Premier subsequently filed lawsuit to recover alleged economic and financial damages.

Stock Price and Volume History

In **Exhibit B** we have summarized the performance and volume of Premier's publicly traded common stock ("PDVN") during its relationship with Equitilink. On October 1st 2003, when the contract was signed, the closing price for PDVN was \$0.06 and the volume of traded shares that day was 53,500. The price and volume of shares fluctuated for a period of time after the contract was signed. Over the time period between October 1st and December 10th (the day Andrew Jones sent a breach of contract letter to Equitilink) the average volume traded was approximately 135,000 shares while the median trading volume was 51,000 shares. On several days there were untypically large volumes traded including the following days:

- October 27th - 296,000 shares (closing price: \$0.05)
- October 31st - 270,100 shares (closing price: \$0.04)
- November 4th - 313,000 shares (closing price: \$0.04)
- November 7th through November 13th - averaged 608,902 shares per day (closing prices: \$0.06 - \$0.12)

Matthew McCarley, Esq.
 Jones & Associates, P.C.
 September 3, 2004

On December 10th the closing price of the stock was \$0.18 and the volume was 23,341 shares traded. For more detail regarding PDVN's stock price and trading history between October 1, 2003 and December 10, 2003 please see **Exhibit B**.

Shortly after the contract with Equitilink was terminated Premier's stock rose significantly. By December 31, 2003 the price had risen to \$0.61. The average daily volume between December 10th and December 31st was 81,898 shares and the median volume during that time was 56,357.

In 2004 Premier's stock continued to rise, reaching a high closing price of \$3.05 on January 20, 2004. In the months thereafter the stock price dropped to just over \$1.00 and has stabilized since in the \$1.00 - \$1.50 range. As of close of business on September 1, 2004 PDVN was trading at \$1.35. For more detail on Premier's stock performance over the past year please see **Exhibit C**.

Damage Calculations

If a breach of contract for non-performance did occur, as represented by Premier, the economic and financial damages due to Premier from Equitilink would be the 600,000 shares paid to Premier or value equivalent. Depending on what the court decides as the proper date of damages it is our opinion that the value of damages would be a three day average stock price prior to the damage date. Therefore if the date of damages was deemed to be December 10, 2003 then the value equivalent to 600,000 shares would be three day average stock price of \$0.18 multiplied times 600,000 which equals \$108,000. If the date of damages was deemed to be current, say for example September 1st, then the three day average stock price was \$1.35 multiplied times 600,000 which equals \$810,000.

Date:	December 10, 2003	September 1, 2004
3 Day Average Closing Price	\$0.18	\$1.35
Multiplied by: Shares paid	600,000	600,000
Value of Damages	\$108,000	\$810,000

Matthew McCarley, Esq.
Jones & Associates, P.C.
September 3, 2004

Summary

In summary, depending on what the court decides as the proper date of damages it is our opinion that the value of damages would be a three day average stock price prior to the damage date (as determined by the court) multiplied by the 600,000 shares paid to Equitilink. The table below presents two date scenarios for damages.

Date:	December 10, 2003	September 1, 2004
3 Day Average Closing Price	\$0.18	\$1.35
Multiplied by: Shares paid	600,000	600,000
Value of Damages	\$108,000	\$810,000

As previously mentioned, our effort in this matter is ongoing. If necessary, we will supplement our findings based on new information and/or continuing work. If you have any further questions or comments, please call me at (214) 468-8400.

Sincerely,

Donald Q. Erickson ASA

Donald Erickson, ASA
President
Erickson Partners, LLC

EXHIBIT A
Court Testimony
Donald A. Erickson, ASA
1998-Present

<u>Attorney</u>	<u>Case</u>	<u>Court/Date</u>
Lester Ostrov Fogel Feldman Ostrov Ringler & Klevens 1620 26th Street Suite 100 South Santa Monica CA 90404 (310) 453-6711	Howard et al vs. Shay et al	U.S. District Court Central District of California May 1998
Scott R. Hoyt Gibson, Dunn & Crutcher LLP 1717 Main Street, Suite 5400 Dallas, Texas 75201-7390	TexCo Communications, Inc. v. Dallas MTA, L.P. and San Antonio, L.P.	U.S. District Court March 2000
Thomas Moreland Kramer Levin Naftalis & Frankel LLP 919 Third Avenue New York, NY 10022	RB Holdings Corporation v. Duane Reade, Inc.	Arbitration August 2000
James Lussier Mateer & Harbert, P.A. Two Landmark Center 225 East Robinson Street Orlando, FL 32802-2584	All Pro Sports Camps Inc. v. Walt Disney Co.	Court of Appeals of Florida, Fifth District August 2000
Peter W. Carter Dorsey & Whitney LLP 50 South Sixth Street, Ste. 1500 Minneapolis, MN 55402-1498	Rainforest Café, Inc. v. State of Wisconsin Investment Board, et al	Fourth Judicial District Hennepin County, Minnesota January 2003

EXHIBIT A (cont'd)
Deposition Testimony
For Donald A. Erickson, ASA
1998-Present

<u>Attorney</u>	<u>Case</u>	<u>Court/Date</u>
Steven J. Adams Gardere & Wynne 100 West Fifth Street, Suite 200 Tulsa, Oklahoma 74103-4240	Anchor Drilling Fluids, U.S.A. v. M-I, L.L.C. No. 99-CV-0031-B(J) United States District Court-Oklahoma District	December 1999
W. Stuart Parsons Quarles & Brady 411 East Wisconsin Avenue Milwaukee, Wisconsin 53202-4497	Kohler Co. v. SoGen International et al No. 98-CV-0437 Circuit Court of Sheboygan Country of Wisconsin	March 2000
Scott R. Hoyt Gibson, Dunn & Crutcher LLP 1717 Main Street, Suite 5400 Dallas, Texas 75201-7390	TexCo Communications, Inc. v. Dallas MTA, L.P. and San Antonio, L.P.	March 2000
Keith Ward Richardson & Ward 6555 So. Lewis Ave. Suite 200 Tulsa, OK 918-492-7674	Silverado Foods, Inc. v. Nonni's Food Company, Inc.	June 2000
John R. Wester Robinson, Bradshaw & Hinson, P.A. 101 North Tryon Street Charlotte, NC 28246	Praxair v. Airgas	March 2002
Myron M. Sheinfeld Akin, Gump, Strauss, Hauer & Feld LLP 1900 Pennzoil Place, South Tower 711 Louisiana Street Houston, TX 77002	Baylor Methodist Primary Care Associates Arbitration	November 2002
Joel M. Weissman Weissman & Yaffa, P.A. 515 North Flagler Drive, Suite 1100 West Palm Beach, FL 33401	Nanci Bonnie Alexander v. Leslie Lee Alexander	160 th Judicial District Court Dallas County, Texas December 2002

EXHIBIT A (cont'd)
Deposition Testimony
For Donald A. Erickson, ASA
1998-Present

<u>Attorney</u>	<u>Case</u>	<u>Court/Date</u>
Peter W. Carter Dorsey & Whitney LLP 50 South Sixth Street, Ste. 1500 Minneapolis, MN 55402-1498	Rainforest Café, Inc. v. State of Wisconsin Investment Board, et al	Fourth Judicial District Hennepin County, Minnesota January 2003
Ryan Lurich Friedman & Feiger, L.L.P. 5301 Spring Valley Road, Suite 200 Dallas, TX 75254	FINOVA v. Richard Arledge	November 2003
Jay M. Rosenberg Conley Rosenberg Scroggins & Brenneise LLP 5080 Spectrum Drive Suite 950E Addison, TX 75001	Cause No. 02-6723 David Hill as Next Friend to Jeffery Hill and Jackson Hill v. Williamsburg Investment Corporation, Paul Jost, Harry Chernoff, Don Chernoff, and Jack Borgenicht	January 2004

EXHIBIT A (cont'd)
Resume – Donald A. Erickson, ASA

DONALD A. ERICKSON, ASA

Donald Erickson is the President and Managing Partner of Erickson Partners LLC a valuation and advisory firm based in Dallas, Texas. He is a former Senior Partner with Ernst & Young LLP's Corporate Finance Practice. He has managed over 1,500 valuation engagements since his entry into the valuation profession in 1972. These engagements have been conducted for the purposes of litigation, merger and acquisition, financing, allocation of purchase price, estate and gift taxes, employee stock ownership trusts, and business planning.

EXPERIENCE

Mr. Erickson has been responsible for valuations in a diverse range of industries on both a national and international level. He has valued both enterprise and minority stock valuations. He has extensive experience in valuing patents, trade secrets, computer software, customer lists, trademarks and other intangible assets. Mr. Erickson also has experience in sports franchise consulting. Consulting engagements have included valuation of franchises, financial analysis of sports teams, and economic and marketability analysis for sports facilities. He has spoken on sports-related issues to the International Conference on Sports Business at the University of South Carolina and to the Major League Baseball International Partners Group in New York City.

EDUCATION

Mr. Erickson received his Bachelor of Science degree from the University of Santa Clara and his master of business administration degree from the University of Oregon. He has taken additional courses in investment analysis from the American Institute of Real Estate Appraisers and real estate appraisal courses from UCLA Extension.

Mr. Erickson is a Senior Member of the American Society of Appraisers (ASA), certified in the discipline of Business Enterprise Valuations, and he is Past National Chairman of the ASA Business Valuation Committee.

EXHIBIT A (cont'd)

Donald A. Erickson, ASA

List of Publications Authored in the Past Ten Years

- NONE

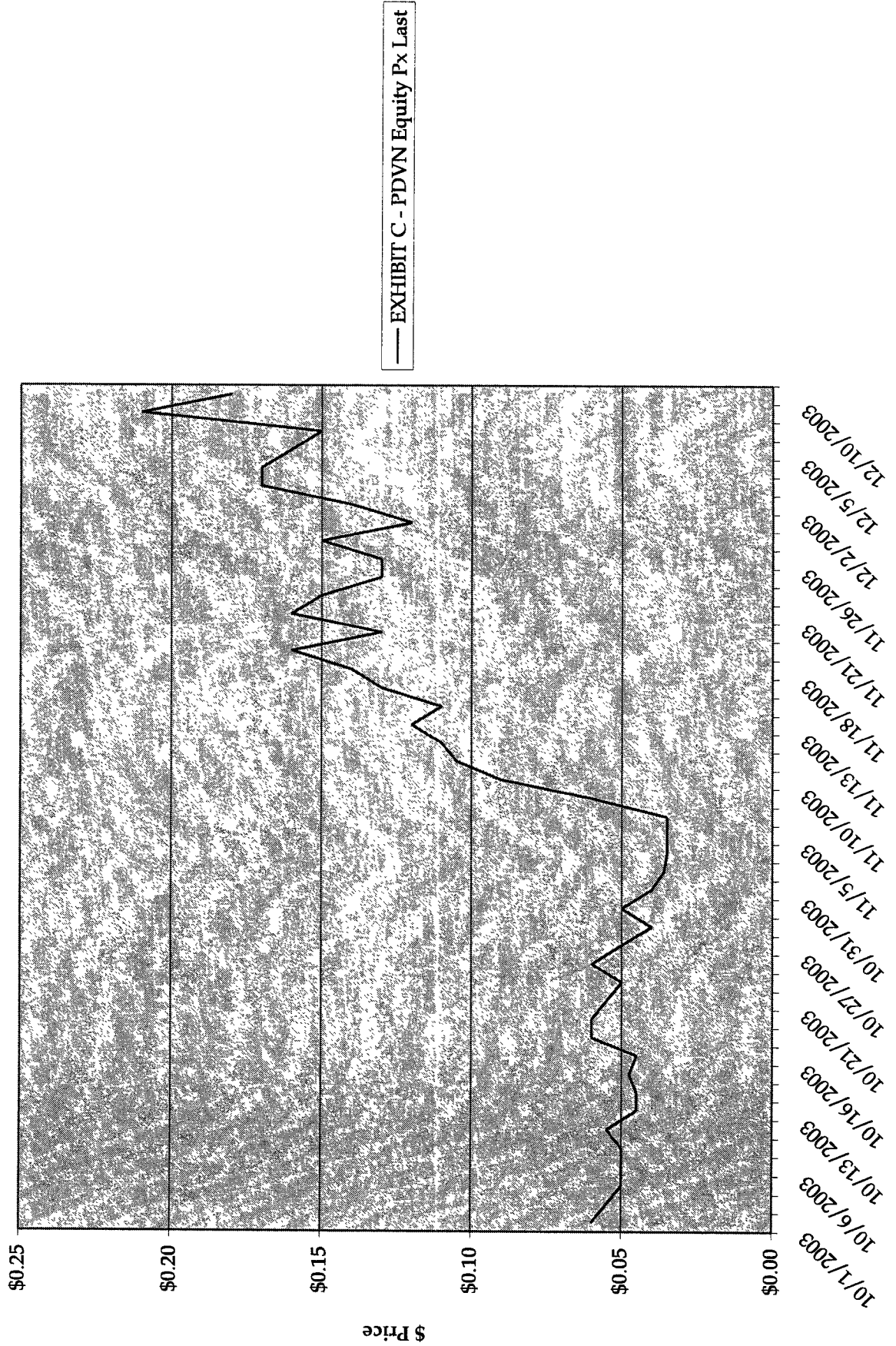
EXHIBIT A (cont'd)

Donald A. Erickson, ASA

Summary of Compensation for Report

- Erickson Partners, LLC has received, as of September 3rd, 2004, a \$7,500 retainer.
We are billing our time at the following rates:
 - Donald A. Erickson, ASA - \$350 per hour
 - Bryce Erickson & other associates - \$150 per hour

EXHIBIT B
Premier Development Stock Price - October 1, 2003 - December 10, 2003



— EXHIBIT C - PDVN Equity Px Last

EXHIBIT B
Daily Volume Chart - October 1, 2003 through December 10, 2003

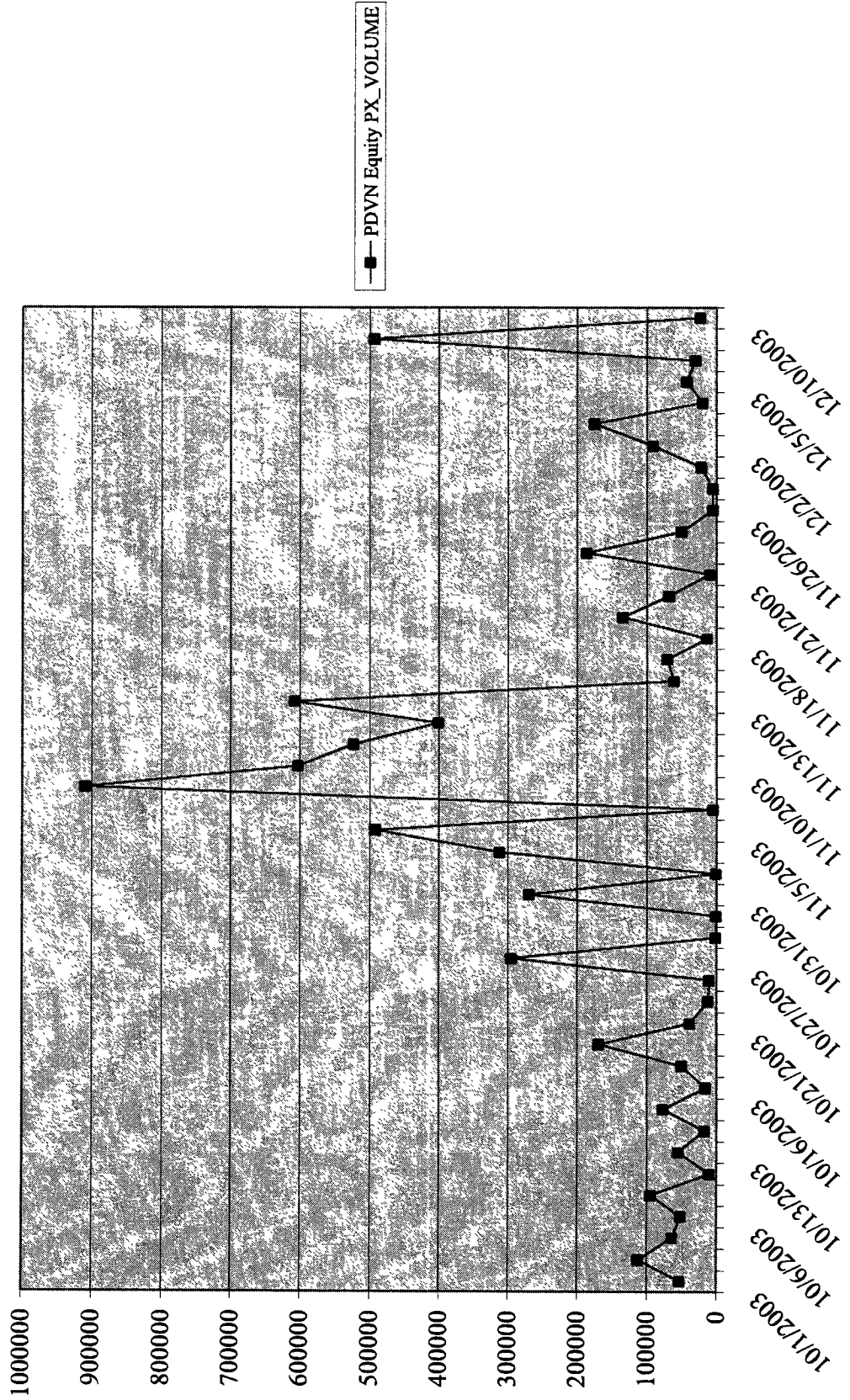
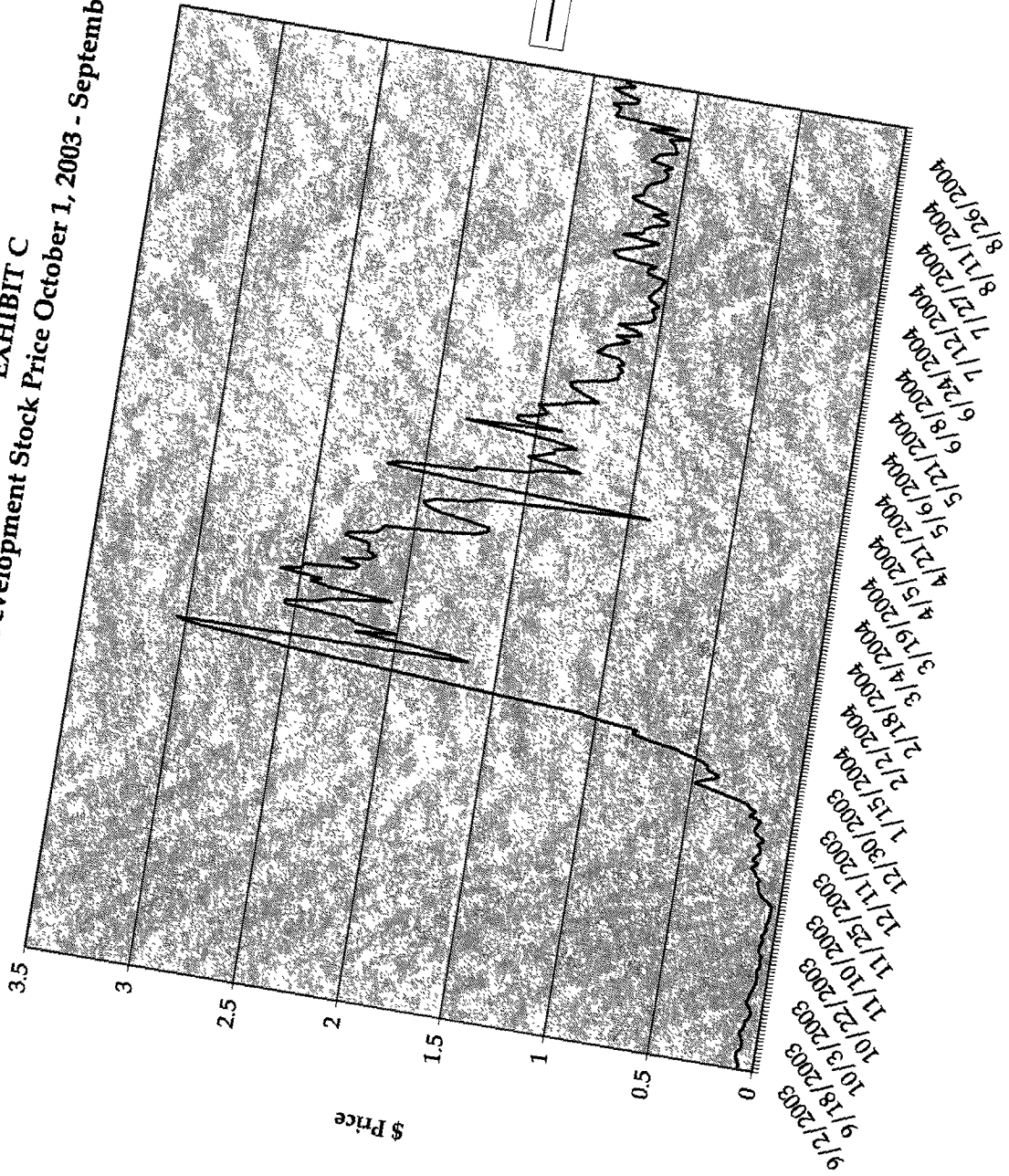


EXHIBIT C
Premier Development Stock Price October 1, 2003 - September 1, 2004



— EXHIBIT C - PDVN Equity Px Last

EXHIBIT C - PDVN Equity

Date	Px Last	Px Volume
9/2/2003	0.07	12000
9/4/2003	0.07	156100
9/5/2003	0.08	14500
9/8/2003	0.09	21100
9/9/2003	0.09	15400
9/10/2003	0.07	58900
9/11/2003	0.07	65700
9/12/2003	0.07	37500
9/15/2003	0.08	135400
9/16/2003	0.09	35500
9/17/2003	0.075	90000
9/18/2003	0.07	206000
9/19/2003	0.07	718800
9/22/2003	0.055	78000
9/23/2003	0.05	53600
9/24/2003	0.055	49400
9/25/2003	0.07	84000
9/26/2003	0.08	173000
9/29/2003	0.07	79000
9/30/2003	0.07	41900
10/1/2003	0.06	53500
10/2/2003	0.055	112500
10/3/2003	0.05	63900
10/6/2003	0.05	52000
10/7/2003	0.05	94700
10/10/2003	0.055	10000
10/13/2003	0.045	55500
10/14/2003	0.045	17600
10/15/2003	0.0475	77000
10/16/2003	0.045	16000
10/17/2003	0.06	50000
10/20/2003	0.06	169500
10/21/2003	0.055	38500
10/22/2003	0.05	11700
10/23/2003	0.06	10000
10/27/2003	0.05	296000
10/28/2003	0.04	1600
10/30/2003	0.05	1000
10/31/2003	0.04	270100
11/3/2003	0.036	1000
11/4/2003	0.035	313000

EXHIBIT C - PDVN Equity

Date	Px Last	Px Volume
11/5/2003	0.035	492000
11/6/2003	0.035	5000
11/7/2003	0.06	909729
11/10/2003	0.09	602900
11/11/2003	0.105	523230
11/12/2003	0.11	400410
11/13/2003	0.12	608239
11/14/2003	0.11	61000
11/17/2003	0.13	70973
11/18/2003	0.14	13000
11/19/2003	0.16	134400
11/20/2003	0.13	67953
11/21/2003	0.16	9300
11/24/2003	0.15	186562
11/25/2003	0.13	49467
11/26/2003	0.13	5000
11/28/2003	0.15	5000
12/1/2003	0.12	22400
12/2/2003	0.14	91900
12/3/2003	0.17	175250
12/4/2003	0.17	20000
12/5/2003	0.16	42500
12/8/2003	0.15	30000
12/9/2003	0.21	493800
12/10/2003	0.18	23341
12/11/2003	0.21	43000
12/12/2003	0.23	25000
12/15/2003	0.31	120450
12/16/2003	0.4	180985
12/17/2003	0.49	118513
12/18/2003	0.46	210717
12/22/2003	0.4	28000
12/23/2003	0.38	5000
12/24/2003	0.44	71201
12/26/2003	0.44	12628
12/29/2003	0.47	56357
12/30/2003	0.55	219750
12/31/2003	0.61	113525
1/2/2004	0.75	87565
1/5/2004	0.82	69167
1/6/2004	0.8	34072

EXHIBIT C - PDVN Equity

Date	Px Last	Px Volume
1/7/2004	1	129707
1/8/2004	1.1	55572
1/9/2004	1.49	105597
1/12/2004	1.83	85258
1/13/2004	2.16	43655
1/14/2004	2.51	51233
1/15/2004	2.65	26222
1/16/2004	2.95	46192
1/20/2004	3.05	45845
1/21/2004	1.64	238588
1/22/2004	1.75	46281
1/23/2004	1.95	87666
1/26/2004	2.2	54510
1/27/2004	2	31045
1/28/2004	2.2	100545
1/29/2004	2.24	52100
1/30/2004	2.55	92865
2/2/2004	2.55	110015
2/3/2004	2.4	29545
2/4/2004	2.35	29126
2/5/2004	2.2	28195
2/6/2004	2.05	48838
2/9/2004	2.35	43982
2/10/2004	2.45	74226
2/11/2004	2.4	60880
2/12/2004	2.6	64135
2/13/2004	2.5	70600
2/17/2004	2.49	35150
2/18/2004	2.25	69009
2/19/2004	2.23	39200
2/20/2004	2.32	45603
2/23/2004	2.19	27502
2/24/2004	2.16	23602
2/25/2004	2.2	57185
2/26/2004	2.2	38685
2/27/2004	2.2	37095
3/1/2004	2.32	32075
3/2/2004	2.3	73201
3/3/2004	2.18	17025
3/4/2004	2.15	63915
3/5/2004	2.14	23282

EXHIBIT C - PDVN Equity

Date	Px Last	Px Volume
3/8/2004	1.85	54844
3/9/2004	1.71	98589
3/10/2004	1.65	62065
3/11/2004	1.65	58035
3/12/2004	1.75	72994
3/15/2004	1.9	119319
3/16/2004	1.96	127942
3/17/2004	1.98	96580
3/18/2004	1.92	62870
3/19/2004	1.75	54317
3/22/2004	1.71	55290
3/23/2004	1.31	135392
3/24/2004	0.9	262455
3/25/2004	1.36	305612
3/26/2004	1.85	383629
3/29/2004	2.18	484683
3/30/2004	2.12	363788
3/31/2004	1.75	287931
4/1/2004	1.76	96240
4/2/2004	1.5	144803
4/5/2004	1.46	100704
4/6/2004	1.26	194239
4/7/2004	1.35	177296
4/8/2004	1.52	119750
4/12/2004	1.46	132945
4/13/2004	1.4	61119
4/14/2004	1.4	143120
4/15/2004	1.3	51060
4/16/2004	1.4	31080
4/19/2004	1.57	80238
4/20/2004	1.84	338731
4/21/2004	1.38	252016
4/22/2004	1.6	126189
4/23/2004	1.6	44526
4/26/2004	1.5	54395
4/27/2004	1.46	54450
4/28/2004	1.48	65989
4/29/2004	1.51	76785
4/30/2004	1.4	40563
5/3/2004	1.34	30520
5/4/2004	1.23	139591

EXHIBIT C - PDVN Equity

Date	Px Last	Px Volume
5/5/2004	1.28	91195
5/6/2004	1.33	37122
5/7/2004	1.37	121890
5/10/2004	1.38	69019
5/11/2004	1.3	45096
5/12/2004	1.2	34438
5/13/2004	1.16	9882
5/14/2004	1.16	36460
5/17/2004	1.14	20800
5/18/2004	1.17	40125
5/19/2004	1.14	17318
5/20/2004	1.17	30491
5/21/2004	1.28	101710
5/24/2004	1.25	57153
5/25/2004	1.24	99600
5/26/2004	1.181	19220
5/27/2004	1.13	31175
5/28/2004	1.2	15700
6/1/2004	1.08	36160
6/2/2004	1.11	41863
6/3/2004	1.2	12200
6/4/2004	1.1	19550
6/7/2004	1.05	64484
6/8/2004	1.03	56550
6/9/2004	1.04	20750
6/10/2004	1.05	7960
6/14/2004	1.02	45103
6/15/2004	1.05	21500
6/16/2004	1.08	167209
6/17/2004	1.06	41640
6/18/2004	1.05	19770
6/21/2004	1.03	22700
6/22/2004	1.02	10700
6/23/2004	1.01	13617
6/24/2004	1.1	102980
6/25/2004	1.1	7500
6/28/2004	1.06	9573
6/29/2004	1.25	150911
6/30/2004	1.28	43900
7/1/2004	1.25	5500
7/2/2004	1.18	22500

EXHIBIT C - PDVN Equity

Date	Px Last	Px Volume
7/6/2004	1.12	4200
7/7/2004	1.07	20875
7/8/2004	1.25	39900
7/9/2004	1.15	4375
7/12/2004	1.15	1800
7/13/2004	1.12	70650
7/14/2004	1.04	7475
7/15/2004	1.04	33000
7/16/2004	1.12	33060
7/19/2004	1.05	21280
7/20/2004	1.11	7520
7/21/2004	1.2	52033
7/22/2004	1.23	57030
7/23/2004	1.18	7300
7/26/2004	1.18	290
7/27/2004	1.17	8645
7/28/2004	1.15	17510
7/29/2004	1.1	850
7/30/2004	1.08	29220
8/2/2004	1.08	16350
8/3/2004	1.1	2900
8/4/2004	1.06	2650
8/5/2004	1.17	73640
8/6/2004	1.15	1000
8/9/2004	1.13	2300
8/10/2004	1.05	13838
8/11/2004	1.06	36500
8/12/2004	1.07	25750
8/13/2004	1.1	7100
8/16/2004	1	18700
8/17/2004	1.2	137347
8/18/2004	1.06	1200
8/19/2004	1.37	143110
8/20/2004	1.36	117625
8/23/2004	1.35	17525
8/24/2004	1.39	29460
8/25/2004	1.28	26025
8/26/2004	1.27	7600
8/27/2004	1.36	1800
8/30/2004	1.4	135000
8/31/2004	1.3	27820

EXHIBIT C - PDVN Equity

Date	Px Last	Px Volume
9/1/2004	1.35	3700

APPENDIX B

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

**PREMIER DEVELOPMENT AND
INVESTMENT, INC.,**

Plaintiff,

v.

EQUITILINK, L.L.C., et al.,

Defendants.

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Civil Action No. 3:04-CV-0405-L

AFFIDAVIT OF J. SCOTT SITRA

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

§
§

On this day, J. Scott Sitra appeared before me, the undersigned notary public. After I administered an oath to him, upon his oath, he said:


1. "My name is J. Scott Sitra. I am competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

2. I am the President of Premier Development and Investment, Inc.

3. I am also the founder, President, Chief Executive Officer, and Chairman of the Board of Stag Financial Group, Inc., ("Stag") an international management and consulting firm. Stag specializes in assisting small, high-growth companies grow from the development stage into profitable, operating entities. Stag's services include working with securities regulatory bodies, including the Securities and Exchange Commission and the National Association of Securities Dealers, locating undervalued merger and acquisition candidates, working on public and private financing of business expansion, developing employee and stockholder programs to maximize shareholder valuations, and

providing general business development guidance. I have worked with dozens of small publicly traded and privately owned companies since 1988 in varying capacities including as a consultant and as a principal executive officer or member of the Board of Directors, such as with Premier Development and Investment, Inc., where I actively participate in their successful growth and development.

4. I hereby swear to and subscribe that the \$810,000.00 damages calculation by Premier's expert witness, Erickson Partners, LLC, is accurate."

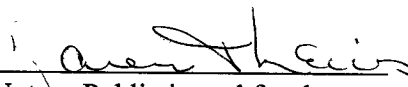


J. Scott Sitra

SWORN TO and SUBSCRIBED before me by J. Scott Sitra on Aug 9, 2005.



Karen T. Lewis
My Commission DD221807
Expires June 11, 2007



Notary Public in and for the
State of Florida

APPENDIX C

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

**PREMIER DEVELOPMENT AND
INVESTMENT, INC.,**

Plaintiff,

V.

EQUITILINK, L.L.C., et al.,

Defendants.

[illegible]

Civil Action No. 3:04-CV-0405-L

AFFIDAVIT OF ANDREW L. JONES

STATE OF TEXAS
COUNTY OF DALLAS

ss

On this day, Andrew L. Jones appeared before me, the undersigned notary public.

After I administered an oath to him, upon his oath, he said:

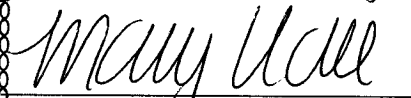
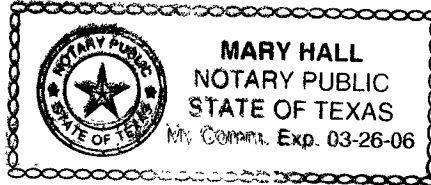
1. "My name is Andrew L. Jones. I am competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.
2. I am an attorney licensed to practice law in the State of Texas, and I am admitted to practice law in the United States District Court for the Northern District of Texas.
3. Plaintiff, Premier Development and Investment, Inc., retained me to represent it in this suit for breach of contract.
4. The nature of this case required that I spend 200 hours prosecuting this case.
5. I charged Plaintiff \$250.00 per hour for my services on this case. These fees were reasonable for the services performed.

6. The fees I charged are those customarily charged in this area for the same or similar services by an attorney with my experience, reputation, and ability considering the nature of the controversy, the time limitations imposed, the results obtained compared with results in similar cases, and the nature and length of my relationship with Plaintiff.”



Andrew L. Jones

SWORN TO and SUBSCRIBED before me by Andrew L. Jones on Aug. 10, 2005.


Notary Public in and for the
State of Texas

APPENDIX D

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

**PREMIER DEVELOPMENT AND
INVESTMENT, INC.,**

Plaintiff,

v.

EQUITILINK, L.L.C., et al.,

Defendants.

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Civil Action No. 3:04-CV-0405-L

MILITARY AFFIDAVIT

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

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§

On this day, J. Scott Sitra appeared before me, the undersigned notary public. After I administered an oath to him, on his oath, he said:

1. "My name is J. Scott Sitra. I am competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.


2. I am the president of Premier Development and Investment, Inc.

3. Defendants, James J. Mahoney and Thomas M. Mahoney are not in the military.

They are the owners of Equitilink, L.L.C. and Shamrock Holdings."




J. Scott Sitra

SWORN TO and SUBSCRIBED before me by  on Aug 9, 2005.



Karen T Lewis
My Commission DD221807
Expires June 11, 2007



Notary Public in and for the
State of Florida